

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 4/20/05

Division: County Attorney

Bulk Item: Yes xx No

Department: County Attorney

Staff Contact Person: Bob Shillinger

AGENDA ITEM WORDING:

Presentation of settlement offer in *Monroe County v. Marshal Golnick*, CC K 05-86.

ITEM BACKGROUND:

The County has a code enforcement lien against Marshall Golnick in the amount of \$11,300.00. The lien arose when Mr. Golnick enclosed his downstairs area, built a staircase, and had some structural and electrical work done without a permit. After several delays on his part, it took the imposition of daily fines of \$400.00 to finally get Mr. Golnick to pull the permits necessary to achieve compliance.

When informal negotiations to collect failed, the County Attorney's office filed suit against him on March 21, 2005. Mr. Golnick, through counsel, has offered to pay **\$5650.00**, half of the amount owed in settlement in three monthly installments.

The County Attorney's office has spent 8.5 hours (\$1700 @ \$200/hr) on the case so far; and spent about \$575 for service of process, filing fees, and a title search on this case so far.

PREVIOUS RELEVANT BOCC ACTION:

The Board approved initiation of collection efforts on August 16, 2004.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS:

Reject settlement offer and counter offer ½ of fine plus costs and fees for total of \$7925.00, and give authority to County Administrator to execute settlement agreement on behalf of Board.

TOTAL COST: N/A

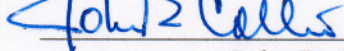
BUDGETED: Yes No

COST TO COUNTY: N/A

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes X No ONE TIME AMOUNT **\$7925.00**

APPROVED BY: County Atty  OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:  04/05/05
John R. Collins, County Attorney

DOCUMENTATION: Included xxx Not Required

DISPOSITION: AGENDA ITEM #

Peters-Katherine

From: Shillinger-Bob
Sent: Tuesday, April 05, 2005 3:42 PM
To: Peters-Katherine
Subject: FW: Case Number 44-2005-CC-86-K

Kathy,

This is the backup for the Agenda Summary for Presentation of settlement offer in Monroe County v. Marshall Golnick.

Bob

-----Original Message-----

From: Josh N. Bennett, Esq. [mailto:josh@bridge.net]
Sent: Tuesday, April 05, 2005 3:35 PM
To: shillinger-bob@monroecounty-fl.gov
Cc: Hmgproductions@aol.com
Subject: Case Number 44-2005-CC-86-K

Dear Mr. Shillinger. Thanks for taking my phone call. Per our conversation, my client, Marshall Golnick, offers \$5,650.00 payable in three monthly installments to settle in full the above referenced claim. PLease check with your client and let me know if acceptable. We understand that you must comply with the sunshine laws since your client is a political body. It would be great if we could hear from you shortly prior to my client having to file an answer to the complaint and summons in order to save him additional legal fees.

Josh N. Bennett, Esq.
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